



BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY
FEDERAL ENERGY REGULATORY COMMISSION

PacifiCorp Energy

Project No. 308-005

NOTICE OF PROPOSED RESTRICTED SERVICE LIST
FOR A PROGRAMMATIC AGREEMENT FOR MANAGING
PROPERTIES INCLUDED IN OR ELIGIBLE FOR INCLUSION IN
THE NATIONAL REGISTER OF HISTORIC PLACES

Rule 2010 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure provides that, to eliminate unnecessary expense or improve administrative efficiency, the Secretary may establish a restricted service list for a particular phase or issue in a proceeding.¹ The restricted service list should contain the names of persons on the service list who, in the judgment of the decisional authority establishing the list, are active participants with respect to the phase or issue in the proceeding for which the list is established.

Commission staff is consulting with the Oregon State Historic Preservation Officer (hereinafter, Oregon SHPO), and the Advisory Council on Historic Preservation (hereinafter, Council) pursuant to the Council's regulations, 36 CFR Part 800, implementing section 106 of the National Historic Preservation Act, *as amended*, (16 U.S.C. section 470 f), to prepare and execute a programmatic agreement for managing properties included in, or eligible for inclusion in, the National Register of Historic Places at the Wallowa Falls Hydroelectric Project No. 308.

The programmatic agreement, when executed by the Commission and the Oregon SHPO would satisfy the Commission's section 106 responsibilities for all individual undertakings carried out in accordance with the license until the license expires or is terminated (36 CFR 800.13[e]). The Commission's responsibilities pursuant to section 106 for the Wallowa Falls Hydroelectric Project would be fulfilled through the programmatic agreement, which the Commission proposes to draft in consultation with certain parties listed below. The executed programmatic agreement would be incorporated into any Order issuing a license.

¹ 18 CFR section 385.2010.

PacifiCorp Energy, as licensee for the Wallowa Falls Project No. 308, and the Nez Perce Tribe, Confederated Tribes of Umatilla Indian Reservation, Confederate Tribes of the Colville Reservation, and Wallowa-Whitman National Forest have expressed an interest in this proceeding and are invited to participate in consultations to develop the programmatic agreement.

For purposes of commenting on the programmatic agreement, we propose to restrict the service list for the aforementioned project as follows:

John Eddins or Representative
Office of Planning and Review
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW, Suite 809
Washington, D.C. 20004

Keith Patrick Baird, THPO
Cultural Resources Program
Nez Perce Tribe
P.O. Box 365
Lapwai, ID 83540-0365

Anthony King or Representative
Wallowa-Whitman National Forest
201 E. 2nd Street
Joseph, OR 97846

Russ Howison or Representative
PacifiCorp Energy
825 NE Multnomah, Suite 1500
Portland, OR 97232

Catherine Dickson or Representative
Cultural Resources Protection Program
Confederated Tribes of the Umatilla Indian
Reservation
46411 Timine Way
Pendleton, Oregon 97801

John Pouley or Representative
Oregon Parks and Recreation Department
Summer St., NE, Suite C
Salem, OR 97301

Arrow Coyote or Representative
Confederate Tribes of the Colville Reserv.
P.O. Box 150
Nespelem, WA 99155

Any person on the official service list for the above-captioned proceeding may request inclusion on the restricted service list, or may request that a restricted service list not be established, by filing a motion to that effect within 15 days of this notice date. In a request for inclusion, please identify the reason(s) why there is an interest to be included. Also please identify any concerns about historic properties, including Traditional Cultural Properties. If historic properties are to be identified within the motion, please use a separate page, and label it **NON-PUBLIC** Information.

Any such motions may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "eFiling" link. For a simpler method of submitting text only comments, click on "Quick Comment." For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please put the project number (P-308-005) on the first page of the filing.

If no such motions are filed, the restricted service list will be effective at the end of the 15 day period. Otherwise, a further notice will be issued ruling on any motion or motions filed within the 15 day period.

Dated: May 3, 2012

Kimberly D. Bose,
Secretary.